

1984 No. 1179

EDUCATION, ENGLAND AND WALES

The Education (Students' Dependants Allowances) (Amendment) Regulations 1984

Made - - - - 31st July 1984

Laid before Parliament 9th August 1984

Coming into Operation 1st September 1984

In exercise of the powers conferred on the Secretary of State by section 3 of the Education Act 1973(a) and of all other powers enabling me in that behalf, I hereby make the following Regulations:—

1. These Regulations may be cited as the Education (Students' Dependants Allowances) (Amendment) Regulations 1984 and shall come into operation on 1st September 1984.

2. In Regulation 7 of the Education (Students' Dependants Allowances) Regulations 1983(b) (Income of student's family)—

- (a) in paragraph (1)(a)(i), there shall be substituted, for the sum of £915, in both places where it appears, the sum of £1,600, and for the sum of £1,170 the sum of £1,900;
- (b) for the sum specified in paragraph (3)(a), there shall be substituted the sum of £400; and
- (c) at the end of paragraph (3)(e), there shall be inserted the words "or any mobility supplement provided for in an order made under section 12(1) of the Social Security (Miscellaneous Provisions) Act 1977(c)".

Keith Joseph,
Secretary of State for Education and Science.

31st July 1984.

(a) 1973 c. 16.

(b) S.I. 1983/1185.

(c) 1977 c. 5; the relevant order currently in force is the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 1983 (S.I. 1983/883, amended by S.I. 1983/1116).

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Education (Students' Dependants Allowances) Regulations 1983 ("the principal Regulations"), which empower the Secretary of State to pay allowances in respect of certain dependants of students holding local education authority awards in cases where the dependants' requirements are not taken into account in calculating the sums payable under such awards.

The amendments relate to provisions whereby certain sums are to be disregarded in determining the income of a student's family during the relevant academic year (the amount determined is taken into account in calculating the amount of any allowance payable to the student). The amount of scholarship income to be disregarded is increased to £1,600, or £1,900 in the case of an Industrial Scholarship. The maximum amount of income earned by the student's spouse that may be disregarded is increased from £375 to £400. Provision is made for the amount of any war pensioners' mobility supplement paid to the student's spouse or child to be disregarded.

Under the principal Regulations, both eligibility for and the amount of any dependants allowance are to be determined by reference to the Education (Mandatory Awards) Regulations 1983 (S.I. 1983/1135) (relating to awards by local education authorities). These latter Regulations are superseded by the Education (Mandatory Awards) Regulations 1984 (S.I. 1984/1116), which come into operation on 1st September 1984. From that date, any reference in the principal Regulations to provisions of the Education (Mandatory Awards) Regulations 1983 is to be construed as a reference to the corresponding provisions of the Education (Mandatory Awards) Regulations 1984, by virtue of sections 17(2) and 23 of the Interpretation Act 1978 (c. 30).

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